

**THE INSTITUTE FOR JUSTICE**

Joseph Gay\*  
jgay@ij.org  
Robert Frommer\*  
rfrommer@ij.org  
901 N. Glebe Rd. Suite 900  
Arlington, VA 22203  
Tel. (703) 682-9320

Robert E. Johnson\*  
rjohnson@ij.org  
16781 Chagrin Blvd. Suite 256  
Shaker Heights, OH 44120  
Tel. (703) 682-9320

\* Admitted *pro hac vice*.

**THE VORA LAW FIRM, P.C.**

Nilay U. Vora (SBN 268339)  
nvora@voralaw.com  
Jeffrey Atteberry (SBN 266728)  
jatteberry@voralaw.com  
201 Santa Monica Blvd., Ste. 300  
Santa Monica, California 90401  
Tel. (424) 258-5190

*Attorneys for Plaintiffs*

IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

**JENI PEARSONS AND MICHAEL  
STORC,**

Plaintiffs,

**v.**

**UNITED STATES OF AMERICA;  
Federal Bureau of Investigation  
Special Agent LYNNE ZELLHART,  
in her individual capacity; and DOES  
1 through 5, Federal Bureau of  
Investigation agents in their  
individual capacities,**

Defendants.

Case No. 2:23-cv-07952-RGK-MAR

**AFFIDAVIT OF SERVICE**

Judge: Hon. R. Gary Klausner  
Complaint Filed: September 22, 2023

1 I, Kyndra Griffin, declare and state as follows:

2 1. At the time of service, I was over 18 years of age and not a party to the  
3 above-captioned action.

4 2. I am employed by the Institute for Justice in the County of Arlington,  
5 State of Virginia. My business address is Institute for Justice, 901 N. Glebe Road,  
6 Suite 900, Arlington, VA 22203.

7 3. I hereby certify that I was directed to serve defendants by counsel  
8 Jeffrey Atteberry of the Vora Law Firm, a member of the Bar of this Court with  
9 whom my firm is associated with as Local Counsel on this case.

10 4. I further certify that on **Monday, October 16, 2023** I caused to be  
11 served by Certified Mail true and correct copies of the following documents on  
12 Defendant DOES 1 through 5, FBI Agents:

13 ECF 1 Complaint

14 ECF 2 Proposed Summons on the U.S.A. c/o U.S. Attorney General  
15 Merrick Garland

16 ECF 3 Proposed Summons on Lynne Zellhart (in her individual  
17 capacity)

18 ECF 3-1 Proposed Summons on DOES 1 through 5, FBI Agents (in their  
19 individual capacities)

20 ECF 4 Civil Coversheet

21 ECF 4-1 Attachment to Civil Cover Sheet

22 ECF 5 Certification and Notice of Interested Parties (Local Rule 7.1-1)

23 ECF 5-1 Attachment to Certification and Notice of  
24 Interested Parties

25 ECF 6 Plaintiffs' Notice of Related Cases

26 ECF 7 Notice of Pendency of Other Actions or Proceedings

27 ECF 8 Plaintiffs' Second Notice of Related Cases  
28

ECF 9 Notice of Assignment to U.S. District Judge, Maame Ewusi-Mensah Frimpong

-Civil Standing Order of Judge Frimpong included in summons packet

-Order Setting Scheduling Conference of Judge Frimpong included in summons packet

ECF 10 Notice to Parties of Court-Directed ADR Program

ECF 11 Notice to Counsel Re Consent to Proceed Before a U.S. Magistrate Judge

ECF 12 Issued Summons to U.S.A. c/o U.S. Attorney General Merrick Garland

ECF 12-1 Issued Summons to Lynne Zellhart (in her individual capacity)

ECF 12-1 Issued Summons to DOES 1 through 5, FBI Agents (in their individual capacities)

ECF 13 Notice of *Pro Hac Vice* Application Due for Joseph Gay

ECF 14 Notice of *Pro Hac Vice* Application Due for Robert Frommer

ECF 15 Order Re Transfer (Related Cases) to Judge R. Gary Klausner

ECF 16 Standing Order Regarding Newly Assigned Cases – Judge Klausner

ECF 17 Joseph R. Gay, Application of Non-Resident Attorney to Appear *Pro Hac Vice*

ECF 17-1 DC Certificate of Good Standing

ECF 17-2 NY Certificate of Good Standing

ECF 17-3 Proposed Order on Joseph R. Gay *Pro Hac Vice* Application

ECF 18 Robert P. Frommer, Application of Non-Resident Attorney to Appear *Pro Hac Vice*

ECF 18-1 DC Certificate of Good Standing

1		ECF 18-2	VA Certificate of Good Standing
2		ECF 18-3	Proposed Order on Robert P. Frommer <i>Pro</i>
3			<i>Hac Vice</i> Application
4	ECF 19	Robert E. Johnson, Application of Non-Resident Attorney to	
5		Appear <i>Pro Hac Vice</i>	
6		ECF 19-1	DC Certificate of Good Standing
7		ECF 19-2	VA Certificate of Good Standing
8		ECF 19-3	OH Certificate of Good Standing
9		ECF 19-4	Proposed Order on Robert E. Johnson <i>Pro</i>
10			<i>Hac Vice</i> Application
11	ECF 20	Order granting <i>Pro Hac Vice</i> Application of Robert P. Frommer	
12	ECF 21	Order granting <i>Pro Hac Vice</i> Application of Robert E. Johnson	
13	ECF 22	Notice to Filer of Deficiencies in E-Filed <i>Pro Hac Vice</i>	
14		Applications Document Numbers ECF 17, 18, 19	
15	ECF 23	Declaration of Lou Egerton-Wiley In Support of <i>Pro Hac Vice</i>	
16		Applications	
17	ECF 24	Order in Response to Notice To Filer of Deficiencies in Filed	
18		Document, Striking <i>Pro Hac Vice</i> Applications Documents ECF	
19		17, 18, and 19	
20	ECF 25	Non-Document Order Vacating as Moot the Orders Granting <i>Pro</i>	
21		<i>Hac Vice</i> Applications Documents ECF 20 and 21 as the court	
22		struck the Applications filed at Documents ECF 18 and 19, due to	
23		deficient name change regarding associated local counsel	
24	ECF 26	Joseph R. Gay, Application of Non-Resident Attorney to Appear	
25		<i>Pro Hac Vice</i>	
26		ECF 26-1	DC Certificate of Good Standing
27		ECF 26-2	NY Certificate of Good Standing
28			

1 ECF 26-3 Proposed Order on Joseph R. Gay *Pro Hac*  
2 *Vice* Application  
3 ECF 27 Robert P. Frommer, Application of Non-Resident Attorney to  
4 Appear *Pro Hac Vice*  
5 ECF 27-1 DC Certificate of Good Standing  
6 ECF 27-2 VA Certificate of Good Standing  
7 ECF 27-3 Proposed Order on Robert P. Frommer *Pro*  
8 *Hac Vice* Application  
9 ECF 28 Robert E. Johnson, Application of Non-Resident Attorney to  
10 Appear *Pro Hac Vice*  
11 ECF 28-1 DC Certificate of Good Standing  
12 ECF 28-2 VA Certificate of Good Standing  
13 ECF 28-3 OH Certificate of Good Standing  
14 ECF 28-4 Proposed Order on Robert E. Johnson *Pro*  
15 *Hac Vice* Application  
16 ECF 29 Order granting *Pro Hac Vice* Application of Joseph R. Gay  
17 ECF 30 Order granting *Pro Hac Vice* Application of Robert P. Frommer  
18 ECF 31 Order granting *Pro Hac Vice* Application of Robert E. Johnson  
19

20 5. I served Defendant by mailing copies of the above documents to the  
21 following persons in accordance with Fed. R. Civ. P. 4(e) and 4(i)(3):

22 DOES 1 through 5, FBI Agents  
23 Federal Bureau of Investigation  
24 FBI Headquarters  
25 935 Pennsylvania Avenue, NW  
26 Washington, DC 20535-0001

26 DOES 1 through 5, FBI Agents	DOES 1 through 5, FBI Agents
27 c/o U.S. Attorney General	c/o U.S. Attorney's Office, C.D. of California
Merrick Garland	Civil Process Clerk
28 U.S. Department of Justice	Federal Building

1 950 Pennsylvania Avenue, NW 300 North Los Angeles Street, Suite 7516  
2 Washington, DC 20530-0001 Los Angeles, California 90012-3341

3 6. I served true and correct copies of the documents listed in para. 4 on  
4 the persons and addresses listed in para. 5 via USPS certified mail by placing the  
5 documents to be served in sealed and addressed envelopes, postage prepaid, and by  
6 personally depositing the envelopes with the U.S. Postal Service Office located in  
7 Silver Spring, MD.

8 7. Attached to this affidavit as Exhibit A are true and correct copies of  
9 the Certified mail receipts for the above mailings reflecting tracking numbers:  
10 9589071052701400878128 (Federal Bureau of Investigation, FBI Headquarters),  
11 9589071052701400878470 (U.S. Attorney General, Merrick Garland), and  
12 9589071052701400878487 (U.S. Attorney General for the Central District of  
13 California).

14 8. Attached to this affidavit as Exhibit B are the email notifications  
15 showing that package 9589071052701400878128 (Federal Bureau of Investigation,  
16 FBI Headquarters) was delivered via individual pick-up on Tuesday October 17,  
17 2023, package 9589071052701400878470 (U.S. Attorney General, Merrick  
18 Garland) was delivered via individual pick-up on Wednesday October 18, 2023,  
19 and package 9589071052701400878487 (U.S. Attorney General for the Central  
20 District of California) was delivered to the front desk, reception area, or mail room  
21 on Wednesday October 18, 2023.

22  
23 I declare under penalty of perjury under the laws of the United States that the  
24 foregoing is true and correct.

25 Executed this 20<sup>th</sup> day of October, 2023.

26   
27 Kyndra Griffin  
28